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PTO/SB/30 (10/2001)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/682,279
Filing Date	08/13/2001
First Named Inventor	Cecil E. Williams, Jr.
Art Unit	2632
Examiner Name	Van Thanh Trieu
Attorney Docket Number	W080999

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

1.  Submission required under 37 CFR §1.114

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- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)
  - ii.  Affidavit(s)/Declaration(s)      iv.  Other Power of Attorney

2.  Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR§1.17(i) required)
- b.  Other \_\_\_\_\_

3.  Fees The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1731

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- i.  RCE fee required under 37 CFR §1.17(e)
- ii.  Extension of time fee (37 CFR §§1.136 and 1.17)
- iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ 370.00 enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	<u>Patricia E. McQueney, Esq.</u>	Registration No. (Attorney / Agent)	49,083
Signature	<u>P. E. McQueney</u>	Date	<u>9.9.02</u>

**CERTIFICATE OF MAILING OR TRANSMISSION via U.S. Express Mail, Airbill No.**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

EL0043  
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Name (Print / Type)	<u>Serene Keen</u>
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Signature	<u>Serene Keen</u>	Date	<u>9/9/02</u>
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

## Instruction Sheet for RCEs

(not to be submitted to the USPTO)

### NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

#### Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

#### Filing Requirements:

**Prosecution in the application must be closed.** Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

**A submission and a fee are required at the time the RCE is filed.** If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

### WARNINGS:

#### Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

#### Improper RCE will NOT toll Any Time Period:

**Before Appeal** - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

**Under Appeal** - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.



TRANSMITTAL LETTER  
(General - Patent Pending)

Docket No.  
W01249.080999

In Re Application Of: Cecil E. Williams, Jr.

Serial No.

09/692,279

Filing Date

August 13, 2001

Examiner

Van Thanh Trieu

Group Art Unit

2632

Title: ILLUMINATING LIGHT(S) DISPLAY APPARATUS FOR USB

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is: Request for Continued Examination Amendment and Response

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in the above identified application.

- No additional fee is required.
- A check in the amount of \$370.00 is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.
  - Charge the amount of
  - Credit any overpayment.
  - Charge any additional fee required.

Patricia E. McQueeney, Esq.

Reg. No. 49,083

Becker & Poliakoff, P.A.

3111 Stirling Road

Fort Lauderdale, FL 33312

Phone: (800) 432-7712

Dated:

9.9.02

I certify that this document and fee is being deposited on Sept. 9, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. *Attbill No. EL084320892 US*

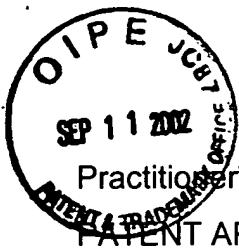
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Express  
Mail,*

Serene E. Keen  
Signature of Person Mailing Correspondence

Serene E. Keen

Typed or Printed Name of Person Mailing Correspondence

CC:



Practitioner's Docket No. W080999 (formerly 476901)  
PAPER #17/E  
PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Cecil E. Williams, Jr.

Application No.: 09/682,279      Group No.: 2632

Filed: 08/13/2001      Examiner: Van Thanh Trieu

For: Illuminating Light(s) Display Apparatus for USB

Duplicate of  
Paper #17/E

**REQUEST FOR CONTINUED EXAMINATION**

**UNDER 37 C.F.R. § 1.114  
EXAMINING GROUP 2632**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box AF

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**REQUEST FOR CONTINUED EXAMINATION**

**AMENDMENT AND RESPONSE**

Please cancel claim 4 without prejudice or disclaimer as to the subject matter therein. Please add new claim 5 as follows. The amendments made herein place the current application in condition for allowance and in better form for appeal. Entry thereof is respectfully requested.

5. An illuminating device from the Universal Serial Bus (USB) comprising

a. an elongated, standard USB wire comprising:

i. a flexible, tubular stabilizing agent which is easily bendable, and